



JC20 Rec'd PCT/PTO 04 APR 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

LEIBER, J. et al.

Atty. Ref.: 35-224

Serial No. 10/030,474

Group:

Filed: February 20, 2002

Examiner:

For: DATA STORAGE MEDIUM

\* \* \* \* \*

April 4, 2002

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

**RESPONSE TO NOTIFICATION OF MISSING  
REQUIREMENTS UNDER 35 U.S.C. 371**

Responsive to the Notification of Missing Requirements mailed March 27, 2002 (a copy of which is attached), it is respectfully submitted that the executed Declaration and Assignment were filed on February 20, 2002. A copy of the PTO mail room date-stamped postcard indicating receipt of the executed Declaration is attached hereto along with a further copy of the Declaration.

Confirmation of receipt of the executed Declaration is respectfully requested.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: \_\_\_\_\_

Arthur R. Crawford

Reg. No. 25,327

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Serial No.: 10/030,474  
Inventor/s: LEIBER, J. et al.  
Title: DATA STORAGE MEDIUM

C#/M#: 35-224

Atty: Arthur R. Crawford

Date: February 20, 2002

XX Declaration (      Pages)  
XX Assignment (3 Pages) Including Cover

\$40.00 Fee (Check) - Pre-Bill

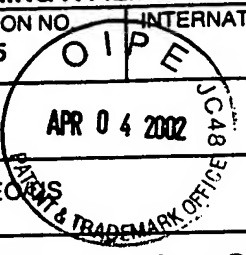
\$      Fee (Check) - Non Pre-Bill

**\$40.00 = Total Fee Enclosed**

Other:

*IDS + 2 REF*



FORM PTO-1390 (REV 11-2000)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER <b>35-224</b>
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)  <b>10/030,474</b>
INTERNATIONAL APPLICATION NO. <b>PCT/EP00/04675</b>	INTERNATIONAL FILING DATE <b>23/05/2000</b>	PRIORITY DATE CLAIMED <b>12 July 1999</b>
TITLE OF INVENTION <div style="display: flex; justify-content: space-between;"> <div>  <b>APR 04 2002</b> </div> <b>DATA STORAGE MEDIUM</b> </div>		
APPLICANT(S) FOR DO/EO/US <b>LEIBER, J. et al.</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371. 2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The U.S. has been elected by the expiration of 19 months from the priority date (Article 31). 5. A copy of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)). a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has <b>NOT</b> expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> A English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).		
<b>Items 11 To 20 below concern document(s) or information included:</b>		
11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98. 12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included. 13. <input type="checkbox"/> A FIRST preliminary amendment. 14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A change of power of attorney and/or address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825. 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input type="checkbox"/> Other items or information.		

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) <b>10/030,474</b>	INTERNATIONAL APPLICATION NO. <b>PCT/EP00/04675</b>	ATTORNEY'S DOCKET NUMBER <b>35-224</b>
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21. <input checked="" type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5):</b> -- Neither international preliminary examination fee (37 C.F.R. 1.482) nor international search fee (37 C.F.R. 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO .....\$1040.00 -- International preliminary examination fee (37 C.F.R. 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO.....\$890.00 -- International preliminary examination fee (37 C.F.R. 1.482) not paid to USPTO but international search fee (37 C.F.R. 1.445(a)(2)) paid to USPTO .....\$740.00 -- International preliminary examination fee (37 C.F.R. 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4).....\$710.00 -- International preliminary examination fee (37 C.F.R. 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4).....\$100.00  <div style="text-align: right;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></div> Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(e)).	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th colspan="2" style="text-align: left;">CALCULATIONS</th> <th style="text-align: left;">PTO USE ONLY</th> </tr> <tr> <td style="width:10%;"></td> <td style="width:40%;"></td> <td style="width:50%;"></td> </tr> <tr> <td>\$</td> <td>0.00</td> <td></td> </tr> <tr> <td>\$</td> <td>0.00</td> <td></td> </tr> </table>	CALCULATIONS		PTO USE ONLY				\$	0.00		\$	0.00	
CALCULATIONS		PTO USE ONLY											
\$	0.00												
\$	0.00												

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	20	-20 =	0	X	\$18.00
Independent Claims	3	-3 =	0	X	\$84.00
MULTIPLE DEPENDENT CLAIMS(S) (if applicable)					\$280.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>					\$ 0.00

<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.		0.00
<b>SUBTOTAL =</b>	\$	0.00
Processing fee of \$130.00, for furnishing the English Translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(f)).		
<b>TOTAL NATIONAL FEE =</b>	\$	0.00
Fee for recording the enclosed assignment (37 C.F.R. 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property		
<b>TOTAL FEES ENCLOSED =</b>	\$	40.00

	Amount to be:	
	refunded	\$
	Charged	\$

a. ☒ A check in the amount of \$40.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. 14-1140 in the amount of \$\_\_\_\_\_ to cover the above fees. A duplicate copy of this form is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1140. A duplicate copy of this form is enclosed.

d. ☒ The entire content of the foreign application(s), referred to in this application is/are hereby incorporated by reference in this application.

**NOTE:** Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

**SEND ALL CORRESPONDENCE TO:**

NIXON & VANDERHYE P.C.  
 1100 North Glebe Road, 8<sup>th</sup> Floor  
 Arlington, Virginia 22201-4714  
 Telephone: (703) 816-4000

SIGNATURE

**Arthur R. Crawford**  
NAME

**25,327**  
REGISTRATION NUMBER

**February 20, 2002**  
Date



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box 901  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

APR 04 2002

JC48

U.S. APPLICATION NUMBER	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/030,474	Jorn LEIBER	35-224

INTERNATIONAL APPLICATION NO.

PCT/EP00/04675

I.A. FILING DATE

PRIORITY DATE

05/23/2000

07/12/1999

Nixon & Vanderhye  
1100 North Glebe Road  
8th Floor  
Arlington, VA 22201-4714

CONFIRMATION NO. 8423

371 FORMALITIES LETTER



\*OC000000007666624\*

Date Mailed: 03/27/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Preliminary Amendments
- Request for Immediate Examination

DOCKETED

CLT/MATTER # 35-224  
MAIL DATE 3-27-02  
DUE DATE May 27, 2002  
FINAL DEADLINE Oct 27, 2002  
DOCKETED BY pat mss

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FRANCINE YOUNG

Telephone: (703) 305-3662

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/030,474	PCT/EP00/04675	35-224

FORM PCT/DO/EO/905 (371 Formalities Notice)